

1 HONORABLE ROBERT S. LASNIK
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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON AT SEATTLE
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10 MARGARET E. DARGAN, a single person
and resident of the state of Oregon,

11 NO. 2:08-CV-01714-RSL
12 Plaintiff,
13 v.
14 GARY V. INGRAM, a Washington resident,
15 individually; PAMELA M. NODUS, a
16 Washington resident, individually; and the
marital community of GARY V. INGRAM and
PAMELA M. NODUS,
17 Defendants.

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19 STIPULATION REQUESTING MEDIATION
20 PURSUANT TO LOCAL CIVIL RULE
21 39.1(C)

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23 The parties, Plaintiff Margaret E. Dargan, and Defendant Gary V. Ingram, stipulate to the
entry of an order directing the parties to engage in mediation pursuant to Local Civil Rule
24 39.1(c) as follows:

25 1. On November 26, 2008, Plaintiff filed a complaint for enforcement of victim's
rights and declaratory and injunctive relief. Dkt. No. 1.

26 2. On August 6, 2009, the Court entered orders (a) of final judgment in favor of
Plaintiff, Dkt. No. 71, and (b) dismissing the case, Dkt. No. 72.

STIPULATION REQUESTING MEDIATION - 1

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1 3. On July 14, 2016, Plaintiff moved the Court for an order (a) reopening this case
2 and (b) declaring Defendant Gary Ingram to be in default of judgment (the “**Default Motion**”).
3 Dkt. No. 73.

4 4. On November 15, 2016, the Court granted in part the Default Motion;
5 specifically, the Court reopened this case but refrained from finding the Defendant to be in
6 default. Dkt. No. 85.

7 5. On the same day, the Court entered an amended order setting trial and related
8 dates. Dkt. No. 86.

9 6. At the November 15, 2016 hearing on the Default Motion, the Court expressed its
10 opinion that the parties should avail themselves of alternative dispute resolution.

11 7. The parties have attempted to come to a negotiated resolution without the
12 assistance of a mediator, but have been unable to do so.

13 8. Local Civil Rule 39.1(c) provides that the Court may order the parties to engage
14 in mediation and that the parties may file a stipulation for mediation at any time. Local Rules
15 W.D. Wash. LCR 39.1(c)(1).

16 9. Additionally, the parties may jointly request pro bono mediation. Local Rules
17 W.D. Wash. LCR 39.1(c)(4). Attached hereto as **Exhibit A** is the parties’ completed Request for
18 Mediation Without Charge.

19 10. Mrs. Dargan has already been damaged financially by the original crime
20 perpetrated by Mr. Ingram, and also in the expense of pursuing restitution from Mr. Ingram.
21 Additionally, the expenses Mr. Ingram incurs defending against Mrs. Dargan’s claim may
22 potentially divert funds from payments that could be made to Mrs. Dargan.

23 11. Accordingly, the parties jointly request that the Court enter an order directing
24 them to engage in pro bono mediation.

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STIPULATION REQUESTING MEDIATION - 2

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1 RESPECTFULLY SUBMITTED this __ day of February, 2017.

2 CAIRNCROSS & HEMPELMANN, P.S.
3

4 /s/ Lindsey M. Pflugrath

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Attorneys for Plaintiff

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10 AGREED TO BY:

11 MARGARET E. DARGAN

12 GARY V. INGRAM

13 _____
14 Date:_____

15 _____
16 Date:_____

17 IT IS SO ORDERED:

18 DATED: February 16, 2017.

19 
20 Robert S. Lasnik
21 United States District Judge

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26 STIPULATION REQUESTING MEDIATION - 3

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